

Remarks

Applicant has amended independent claims 1 and 24 to clarify and crystallize the claimed invention. Applicant's invention is an "external" alert device for detecting the presence of fecal matter which comprises an adhesive disposable pad having an aperture; a pH activated alarm attached to the pad; a first and second conductor wire extending from the aperture through the disposable pad to the alarm; a plug, and a third and fourth conductor on the plug, the plug being removably secured to the pad at the aperture and the third and fourth conductor each comprise a pair of spaced apart rings.

In response to the detailed Office Action, applicant respectfully requests reconsideration of the claims presently on file. As the Office Action is understood, the Examiner contends that the cited art, namely Ravo, shows a pad having an aperture. The Ravo device is a hollow tubular support member (3), that is placed inside the stoma. Applicant's pad is an external pad, as the claims now clarify, that sits outside the stoma, on the patient's skin by means of an adhesive. The Biagio device is implanted surgically in the patient (column 5, lines 63-68). Applicant's device, as claimed, including the pad and the plug, is a disposable product. The Biagio circuit is activated by pressure ("a predetermined pressure is attained by accumulated excremental matter"). Applicant's circuit is activated by changes in pH in the fluid inside the colon. This clarification is also set forth in independent claims 21 and 24.

The Examiner contends that Biagio has a first and second conductor extending from the aperture to the alarm. This is not accurate in that one of the electrodes that close the circuit (43) is in contact with the patient's skin. In applicant's device, all the electric circuitry goes inside the pad and none of the electric parts is in contact with the patient's skin. This clarification has also been made in claims 1 and 24.

Regarding the plug, the Biagio plug is a disk-shaped plug that is secured to the outside of the patient on the surface of the stoma. Applicant's plug is a cylindrical shaped plug that goes inside the stoma. The alarm method disclosed in the Biagio reference uses a skin contacting electrode to generate a signal. Applicant's claimed invention does not have any skin contacting electrodes to generate a signal. The signal is generated outside the body of the patient.

Applicant's claimed invention consists of an adhesive patch or pad that is placed outside the stoma. A cylindrical shaped plug goes through the patch and is placed inside the stoma

all the way to reach the colon. The Biagio device has an inner and outer surface, but is a disk-shaped plug that sits on the outside part of the tube. The tube goes inside the stoma. This is a crucial difference in the disclosure and meaning of how the claimed invention operates.

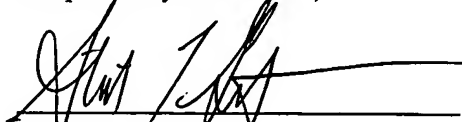
Regarding Millot, this is a device for securing an ostomy bag about a stoma and emitting an alarm. The function of the alarm present is different from the Millot device. The alarm in Millot is to indicate that the pad is wet and the adhesive may not work any longer. As stated in line 10, it is a "wetness detection means" to "measuring conductivity of the adhesive composition" and sending an alarm to the patient when a certain wetness level is reached. Furthermore, the electrodes are part outside the pad and measure a chemical property happening in the skin of the patient. Applicant's connectors are inside the pad and do not measure anything in the skin of the patient. They just transmit information from the plug to the alarm. Millot merely describes the pad as an ostomy seal. Applicant's adhesive pad is used to hold the plug. The plug acts as a barrier to the feces. Also, the use of the pad in Millot is for different purposes. While the pad in Millot is used for securing an ostomy bag, applicant's adhesive pad is used for securing the plug which goes through the pad.

Applicant's revised claims clearly distinguish the present invention from the citations presented by the Examiner.

The structure, function, and how same operates are all distinctly different and as such, the application should be approved as presented.

If any additional fees are due or owing, please charge Deposit Account No. 08-2455 the deficiency.

Respectfully submitted,



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